

07-10-06

17 Aug

PTO/SB/22 (12-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|------------|---|------------------|
| REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) | | Docket Number (Optional) | |
| FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).) | | 077350.0162 | |
| Application Number 10/729,869 | | Filed 12/05/2003 | |
| For NMDA Receptor Antagonist Formulation With Reduced Neurotoxicity | | | |
| Art Unit 1614 | | Examiner Brian Yong Kwon | |
| This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. | | | |
| The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): | | | |
| | <u>Fee</u> | <u>Small Entity Fee</u> | |
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$120 | \$60 | \$ _____ |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$450 | \$225 | \$ _____ |
| <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$1020 | \$510 | \$ <u>510.00</u> |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$1590 | \$795 | \$ _____ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$2160 | \$1080 | \$ _____ |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | | | |
| <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | |
| <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>02-4377</u> . I have enclosed a duplicate copy of this sheet. | | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | |
| I am the <input type="checkbox"/> applicant/inventor. | | | |
| <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). | | | |
| <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>51,932</u> | | | |
| <input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____ | | | |
| <u>Sandra Lee</u> Signature | | <u>07/07/2006</u> Date | |
| <u>Sandra S. Lee</u> Typed or printed name | | <u>212-408-2500</u> Telephone Number | |
| <input type="checkbox"/> Total of _____ forms are submitted. | | | |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

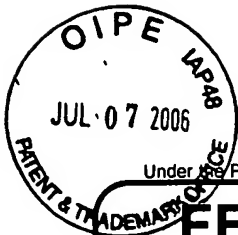
This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/11/2006 HDESTA1 00060953 10729869

510.00 0P

01 FC:2253



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 510.00

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 10/729,869 |
| Filing Date | 12/05/2003 |
| First Named Inventor | Mermelstein |
| Examiner Name | Brian Yong Kwon |
| Art Unit | 1614 |
| Attorney Docket No. | 077350.0162 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 02-4377
Deposit Account Name: Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Small Entity Fee Code | Fee Description | Fee Paid |
|-----------------------|-----------------------|------------------------|----------|
| 1001 | 2001 | Utility filing fee | |
| 1002 | 2002 | Design filing fee | |
| 1003 | 2003 | Plant filing fee | |
| 1004 | 2004 | Reissue filing fee | |
| 1005 | 2005 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid | |
|--------------------|--------------|----------------|----------|----|
| -20 | = | X | =0 | |
| Independent Claims | -3 | = | X | =0 |
| Multiple Dependent | | | =0 | |

| Large Entity Fee Code | Small Entity Fee Code | Fee Description |
|-----------------------|-----------------------|--|
| 1202 | 2202 | Claims in excess of 20 |
| 1201 | 2201 | Independent claims in excess of 3 |
| 1203 | 2203 | Multiple dependent claim, if not paid |
| 1204 | 2204 | ** Reissue independent claims over original patent |
| 1205 | 2205 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee Code | Fee Description | Fee Paid |
|----------|----------|--|----------|
| 1051 | 2051 | Surcharge - late filing fee or oath | |
| 1052 | 2052 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 1053 | Non-English specification | |
| 1812 | 1812 | For filing a request for ex parte reexamination | |
| 1804 | 1804 | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1805 | Requesting publication of SIR after Examiner action | |
| 1251 | 2251 | Extension for reply within first month | |
| 1252 | 2252 | Extension for reply within second month | 510 |
| 1253 | 2253 | Extension for reply within third month | |
| 1254 | 2254 | Extension for reply within fourth month | |
| 1255 | 2255 | Extension for reply within fifth month | |
| 1401 | 2401 | Notice of Appeal | |
| 1402 | 2402 | Filing a brief in support of an appeal | |
| 1403 | 2403 | Request for oral hearing | |
| 1451 | 1451 | Petition to institute a public use proceeding | |
| 1452 | 2452 | Petition to revive - unavoidable | |
| 1453 | 2453 | Petition to revive - unintentional | |
| 1501 | 2501 | Utility issue fee (or reissue) | |
| 1502 | 2502 | Design issue fee | |
| 1503 | 2503 | Plant issue fee | |
| 1460 | 1460 | Petitions to the Commissioner | |
| 1807 | 1807 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 1806 | Submission of Information Disclosure Stmt | |
| 8021 | 8021 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 2809 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 2810 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 2801 | Request for Continued Examination (RCE) | |
| 1802 | 1802 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 510.00

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|-------------------|-----------------------------------|------------|-----------|--------------|
| Name (Print/Type) | Sandra S. Lee | Registration No. (Attorney/Agent) | 51,932 | Telephone | 212-408-2500 |
| Signature | <i>Sandra Lee</i> | Date | 07/07/2006 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.